



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Ordinance No. 1625 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.40, Section 16.40.050-A.-4, Relating to Reimbursement Agreements"

MEETING DATE: February 21, 1996

PREPARED BY: City Clerk

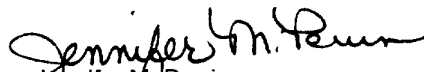
RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1625.

BACKGROUND INFORMATION: Ordinance No. 1625 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 16.40, Section 16.40.050-A.-4, Relating to Reimbursement Agreements" was introduced at the regular City Council meeting of February 7, 1996.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

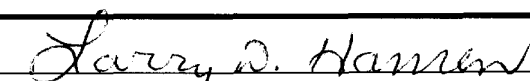
This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.


Jennifer M. Perrin
City Clerk

Attachment

APPROVED: _____


Larry D. Hamner
City Manager

ORDINANCE NO. 1625

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING LODI MUNICIPAL CODE CHAPTER 16.40,
SECTION 16.40.050 -A. - 4. RELATING TO REIMBURSEMENT AGREEMENTS

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Lodi Municipal Code Section 16.40.050 A. - 4. Reimbursement Agreements - is hereby amended to read as follows:

4. The agreement shall provide that the city will collect the appropriate charge from the properties identified in the agreement and reimburse the applicant or the applicant's heirs, successors or assigns, for a period of fifteen years from the date of the agreement only. Reimbursement Agreements to recover funds advanced by City for projects shall expire after 15 years; reimbursement charges will not be collected after that time.

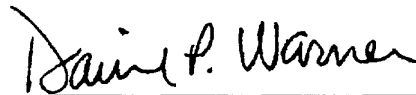
Section 2. - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

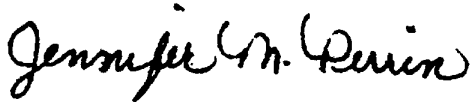
Section 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 21st day of February, 1996



DAVID P. WARNER
Mayor

Attest:



JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1625 was introduced at a regular meeting of the City Council of the City of Lodi held February 7, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held February 21, 1996 by the following vote:

Ayes:	Council Members - Davenport, Pennino, Sieglock and Warner (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1625 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



JENNIFER M. PERRIN
City Clerk

Approved as to Form:



RANDALL A. HAYS
City Attorney



CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: ORDINANCE NO. 1625 AMENDING LODI MUNICIPAL CODE CHAPTER 16.40,
SECTION 16.40.050 - A. - 4. RELATING TO REIMBURSEMENT AGREEMENTS

PUBLISH DATE: WEDNESDAY, FEBRUARY 28, 1996

TEAR SHEETS WANTED: ONE

AFFIDAVIT AND BILL TO:

JENNIFER M. PERRIN
CITY CLERK

DATED: FEBRUARY 22, 1996

ORDERED BY:

A handwritten signature in cursive script, reading "Linda Nichols", is written over a horizontal line.

LINDA S. NICHOLS
DEPUTY CITY CLERK